

Mitja Hinderks

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Honorable Commissioner of Patents and Trademarks
Washington DC 20231

In my Patent Application:

Serial No	08 / 477 704
Filed	June 7 1995
Group Art Unit	3747
Examiner	N Kamen
For	AN IMPROVED MEANS FOR TREATMENT OF THE GASES OF COMBUSTION ENGINES AND THE TRANSMISSION OF THEIR POWER

Petition / Request to Withdraw Notices of Allowance and Allowability, Review and soon Re-Issue.

The Commissioner is respectfully requested to withdraw the Notices of Allowance and Allowability in the above application, review the Notices for possible errors, and re-issue them in amended form as soon as possible. It is possible that the notices include administrative errors by the PTO.

It is not clear whether this document should be a petition or a request / amendment under rule 37 CFR 1.312. The examiner's amendment (copy attached) provides for such request / amendment. In case this needs to be a petition, please find attached my Credit Card Payment Form for any petition fees that may be required.

BACKGROUND

During the later stages of examination, three main claims were on file, claims 218, 219 and 220, all reading on very closely related subject matter. By October 1999 a total of 127 dependent claims were on file, roughly equally divided to dependency on each of the main claims. A copy of that submission is enclosed. The examiner thought the latter read on separate species and requested an election, so 218 was elected and prosecution continued.

Just prior to a likely allowance of claim 218, the applicant realised that he could not at that time file divisionals or continuations on the remaining subject matter without losing his priority dates. Accordingly a supplemental amendment was filed narrowing each of the current main claims and adding one new main claim, so that all four main claims would be part of a single species.

In the notices of allowance / allowability, the examiner allowed all four main claims and 44 dependent claims, but filed an amendment cancelling 83 dependent claims as being "non-elected". The 83 claims were not canceled by the applicant.

It is respectfully submitted that by amending the claims to all read on one species, the earlier issue of election became moot, and all 127 dependent claims could be considered allowable. If there were problems of wording or subject matter with the canceled claims, the examiner would presumably have noted this shortly after they were presented in 1999.

It is thought that it may not have been the intention of the examiner to cancel the claims, but that some administrative or computer error occurred.

Mitja Hinderks, Applicant.

January 24 2002

